

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**HARRY WILEY, individually  
and on behalf of all others similarly situated,**

**Plaintiff,**

**v.**

**Civil Action No. 2:25-cv-227  
(Honorable Irene C. Berger)**

**ROBERT F. KENNEDY, JR., in his  
official capacity as Secretary of Health and Human Services, and  
U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

**Defendants.**

**PLAINTIFF'S RESPONSE TO DEFENDANTS'  
MOTION TO DISMISS PLAINTIFF'S DEMAND FOR A JURY TRIAL**

Pending before this Court is Defendants' Motion to Dismiss Plaintiff's Demand for a Jury Trial. [ECF Doc. # 17.] Plaintiff abandons his demand for jury trial and stipulates to Defendants' Motion to Dismiss the same.

**WHEREFORE**, the Plaintiff stipulates to the Court striking his demand for jury trial.

**Respectfully Submitted,  
HARRY WILEY, individually and on  
behalf of all others similarly situated,  
By counsel:**

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